

Regular Session, 2010

HOUSE BILL NO. 1470 (Substitute for House Bill No. 938 by Representative Michael Jackson)

BY REPRESENTATIVE MICHAEL JACKSON

1 AN ACT

2 To amend and reenact R.S. 32:1305(C) and to enact R.S. 32:1304(H) and 1306.1, relative  
3 to motor vehicles; to require certain vehicles to be inspected in certain parishes; to  
4 authorize an increased fee for inspection and maintenance programs in parishes in  
5 the nonattainment area; to permit local option elections in parishes in the  
6 nonattainment area; to provide relative to the conduct of such elections and the costs  
7 thereof; to exempt certain parishes; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:1305(C) is hereby amended and reenacted and R.S. 32:1304(H)  
10 and 1306.1 are hereby enacted to read as follows:

11 §1304. Secretary to require periodical inspection

12 \* \* \*

13 H. No motor vehicle registered in a parish that approves the fee or charge  
14 authorized by R.S. 32:1306.1 shall be inspected in a parish other than the parish of  
15 registration.

16 §1305. Appointment of official inspection stations

17 \* \* \*

18 C. The director shall properly supervise and cause inspections to be made of  
19 such stations and shall revoke and require the surrender of the permit issued to a  
20 station which he finds is not properly equipped or conducted. The director shall also  
21 revoke and require the surrender of the permit when such station issues an  
22 inspection certificate in violation of R.S. 32:1304(H). The director shall maintain  
23 and post at the office of the department lists of all stations holding permits and of  
24 those whose permits have been revoked.

25 \* \* \*

1        §1306.1. Inspection and maintenance program fees; nonattainment area; local  
2                    election

3                A. Upon adoption of a proposition approved by the voters of a nonattainment  
4                area parish as provided for in this Section, seven dollars shall be charged for each  
5                inspection that includes the performance of the inspection and maintenance (I/M)  
6                program pursuant to the provisions of R.S. 30:2054(B)(8) for 1980 or newer model  
7                year motor vehicles. This charge shall be in addition to the charge or fee provided  
8                for in R.S. 32:1306(C)(3)(a).

9                B. As the legislature finds that the use of mass transit by its citizens would  
10               result in reduced ozone formation, the Department of Public Safety and Corrections  
11               shall transfer the charge authorized by this Section to local entities for the  
12               improvement and development of mass transit systems. However, fifty percent of  
13               the charge authorized by this Section and collected for motor vehicle inspections in  
14               East Baton Rouge Parish shall be transferred directly to the Capital Area Transit  
15               System, R.S. 48:1451, et. seq. and shall be operating revenue or income, as defined  
16               by R.S. 48:756(C)(3), used in calculating the Capital Area Transit System's  
17               distribution as described in R.S. 48:756(B)(2). The remaining fifty percent of the  
18               charge authorized by this Section and collected for motor vehicle inspections in East  
19               Baton Rouge Parish shall be transferred to the governing authority of East Baton  
20               Rouge Parish to improve and develop mass transit systems. The money so  
21               transferred to the governing authority of East Baton Rouge Parish or to the Capital  
22               Area Transit System, R.S. 48:1451, et. seq., shall not displace, replace, or supplant  
23               funding currently expended for the Capital Area Transit System, R.S. 48:1451, et.  
24               seq. The charge authorized by this Section and collected for motor vehicle  
25               inspections in other nonattainment area parishes shall be transferred to the parish  
26               governing authority of that parish to develop mass transit systems.

27               C.(1) The parish governing authority may, by ordinance or resolution, call  
28               an election for the purpose of submitting to the qualified electors of the parish the  
29               question of whether the charge authorized by this Section will be assessed in that  
30               parish. Such election shall be held at the same time as the statewide election

1 scheduled for either October 2, 2010, or November 2, 2010. Any resolution calling  
2 the election authorized in this Section shall state whether the election will be held on  
3 October 2, 2010, or November 2, 2010.

4 (2) The ballot for the election shall state as follows:

5 "Local Option Election

6 Within \_\_\_\_\_ (name of parish within the nonattainment area), shall an  
7 additional seven dollars be charged for each motor vehicle inspection that includes  
8 the performance of the inspection and maintenance (I/M) program with the  
9 additional seven dollar charge being used for mass transit purposes? YES ( )  
10 NO ( )"

11 (3) If the question of such charge is approved by a majority of the qualified  
12 electors voting on the proposition in the parish, then the charge authorized by this  
13 Section shall be implemented in that parish.

14 (4) The secretary of state shall prepare the ballot for the election.

15 (5) Except as otherwise provided, the election required shall be conducted  
16 in accordance with the Louisiana Election Code.

17 (6) Notwithstanding Chapter 8-A of the Louisiana Election Code, the costs  
18 of the election required in this Section shall be borne by the state.

19 D. The provisions of this Section shall not apply in the parishes of  
20 Livingston and Ascension.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_